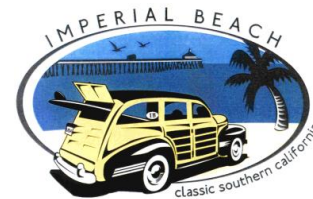




A G E N D A

**IMPERIAL BEACH CITY COUNCIL
REDEVELOPMENT AGENCY
PLANNING COMMISSION
PUBLIC FINANCING AUTHORITY**



SEPTEMBER 22, 2010

**Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, CA 91932**

**CLOSED SESSION MEETING – 5:15 P.M.
REGULAR MEETING – 6:00 P.M.**

**THE CITY COUNCIL ALSO SITS AS THE CITY OF IMPERIAL BEACH REDEVELOPMENT AGENCY,
PLANNING COMMISSION, AND PUBLIC FINANCING AUTHORITY**

The City of Imperial Beach is endeavoring to be in total compliance with the Americans with Disabilities Act (ADA). If you require assistance or auxiliary aids in order to participate at City Council meetings, please contact the City Clerk's Office at (619) 423-8301, as far in advance of the meeting as possible.

CLOSED SESSION CALL TO ORDER BY MAYOR

ROLL CALL BY CITY CLERK

CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8:

Property: 800 Seacoast Drive, Imperial Beach, CA 91932, APN 625-262-01-00

Agency Negotiator: City Manager and City Attorney

Negotiating Parties: Imperial Coast LTD Partnership

Under Negotiation: Instruction to Negotiators will concern price and terms of payment

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8:

Property: Unimproved site of 1.15 acres with a paved Class I bike path,
Imperial Beach, CA 91932, APN 616-021-10

Agency Negotiator: City Manager and City Attorney

Negotiating Parties: San Diego County Regional Airport Authority

Under Negotiation: Instruction to Negotiators will concern price and terms of payment

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(a):

Case Name: Imperial Beach Redevelopment Agency v. Shawki Bachoua dba Southbay
Drugs

Case No: 37-2010-00030617-CL-UD-SC

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9(c):

No. of Cases: 1

RECONVENE AND ANNOUNCE ACTION (IF APPROPRIATE)

REGULAR MEETING CALL TO ORDER BY MAYOR

ROLL CALL BY CITY CLERK

Any writings or documents provided to a majority of the City Council/RDA/Planning Commission/Public Financing Authority regarding any item on this agenda will be made available for public inspection in the office of the City Clerk located at 825 Imperial Beach Blvd., Imperial Beach, CA 91932 during normal business hours.

PLEDGE OF ALLEGIANCE

AGENDA CHANGES

MAYOR/COUNCIL REIMBURSEMENT DISCLOSURE/COMMUNITY ANNOUNCEMENTS/ REPORTS ON ASSIGNMENTS AND COMMITTEES

COMMUNICATIONS FROM CITY STAFF

PUBLIC COMMENT - *Each person wishing to address the City Council regarding items not on the posted agenda may do so at this time. In accordance with State law, Council may not take action on an item not scheduled on the agenda. If appropriate, the item will be referred to the City Manager or placed on a future agenda.*

PRESENTATIONS (1.1)

1.1* PRESENTATION OF FLAG TO DEE MCLEAN. (0410-30)

**No Staff Report.*

CONSENT CALENDAR (2.1 - 2.8) - *All matters listed under Consent Calendar are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items, unless a Councilmember or member of the public requests that particular item(s) be removed from the Consent Calendar and considered separately. Those items removed from the Consent Calendar will be discussed at the end of the Agenda.*

2.1 MINUTES. (0660-430)

City Manager's Recommendation: Approve the minutes of the Special City Council Meeting of July 13, 2010 and the Regular City Council Meetings of July 21 and August 4, 2010.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

City Manager's Recommendation: Ratify the following registers: Accounts Payable Numbers 71583 through 71678 with the subtotal amount of \$1,026,711.76 and Payroll Checks 43074 through 43138 for the pay period ending 08/26/10 with the subtotal amount of \$165,084.54, for a total amount of \$1,191,796.30.

2.3 RESOLUTION NO. 2010-6939 – AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO, DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AND THE CITY OF IMPERIAL BEACH FOR THE REALLOCATION OF FISCAL YEAR 2008-2009 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FROM PUBLIC SAFETY/FIRE STATION ENHANCEMENTS AND EQUIPMENT UPGRADES PROJECT TO CIVIC CENTER CROSSWALK IMPROVEMENT PROJECT. (0650-33)

City Manager's Recommendation: Adopt resolution.

2.4 RESOLUTION NO. 2010-6945 – AUTHORIZING THE ACCEPTANCE OF CALTRANS RELINQUISHMENT OF PROPERTY TO FACILITATE THE REALIGNMENT OF THE PALM AVENUE/STATE ROUTE (SR) 75 INTERSECTION ADJACENT TO THE PROPOSED 9TH AND PALM REDEVELOPMENT PROJECT. (0150-30 & 0640-20)

City Manager's Recommendation: Adopt resolution.

2.5 RESOLUTION NO. 2010-6946 – DELEGATING TO CITY MANAGER AUTHORITY TO MAKE DISABILITY RETIREMENT DETERMINATIONS. (0520-95)

City Manager's Recommendation: Adopt resolution.

2.6 RESOLUTION NO. 2010-6943 – RATIFYING PEDESTRIAN AND VEHICULAR ACCESS AGREEMENT FOR FINAL MAP (TM 03-091) OF THE REDEVELOPMENT OF THE SEACOAST INN, A PROPOSED 78 ROOM HOTEL LOCATED AT 800 SEACOAST DRIVE, IN THE C-2 (SEACOAST COMMERCIAL) ZONE. MF 661. (0660-43)

City Manager's Recommendation: Adopt resolution.

(Continued on Next Page)

CONSENT CALENDAR (Continued)

- 2.7 RESOLUTION NO. 2010-6940 – APPROVING COUNCIL POLICY 613: POLICIES AND REGULATIONS GOVERNING BANNER HANGING PROCEDURES, FEES AND GUIDELINES. (0920-60 & 0920-70)**
City Manager's Recommendation: Adopt resolution.
- 2.8 RATIFICATION OF COMMERCIAL ZONING REVIEW AD HOC COMMITTEE. (0410-50 & 0610-95)**
City Manager's Recommendation: Ratify the formation of the committee and appointment of the members.

ORDINANCES – INTRODUCTION/FIRST READING (3.1)

- 3.1 ORDINANCE NO. 2010-1108 – AMENDING TITLE 12 – “STREETS, SIDEWALKS, AND PUBLIC PLACES” TO ADD CHAPTER 12.76 – “NEWS RACKS AFFECTING PUBLIC SAFETY” TO THE IMPERIAL BEACH MUNICIPAL CODE. (0720-95)**
City Manager's Recommendation:
1. Receive report;
 2. Mayor calls for introduction of Ordinance No. 2010-1108, amending Title 12 – “Streets, Sidewalks, and Public Places” to add Chapter 12.76 – “News racks Affecting Public Safety” to the Imperial Beach Municipal Code;
 3. City Clerk reads title of Ordinance No. 2010-1108; and
 4. Motion to dispense with first reading and introduction of Ordinance No. 2010-1108 by title only and waive further reading, set the matter for adoption at the next regularly scheduled City Council meeting, and authorize the publication in a newspaper of general circulation.

ORDINANCES – INTRODUCTION/FIRST READING/PUBLIC HEARING (3.2)

- 3.2 ORDINANCE NO. 2010-1111 – TO CORRECTLY STATE AND EXTEND THE PLAN EFFECTIVENESS AND TAX INCREMENT DEADLINES FOR THE REDEVELOPMENT PLAN FOR THE PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT PERTAINING TO THE ORIGINAL PROJECT AREA AND THE ADDED AREA PURSUANT TO HEALTH AND SAFETY CODE SECTION 33333.2 (c). (0640-95)**
City Manager's Recommendation:
1. Declare the public hearing open;
 2. Receive report;
 3. Receive public comment;
 4. Close the public hearing;
 5. Mayor calls for introduction of Ordinance No. 2010-1111, to correctly state and extend the plan effectiveness and tax increment deadlines for the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project pertaining to the Original Project Area and the added area pursuant to Health and Safety Code Section 33333.2 (c);
 6. City Clerk reads title of Ordinance No. 2010-1111; and
 7. Motion to dispense with first reading and introduction of Ordinance No. 2010-1111 by title only and waive further reading, set the matter for adoption at the next regularly scheduled City Council meeting, and authorize the publication in a newspaper of general circulation.

ORDINANCES – SECOND READING & ADOPTION (4.1 - 4.2)

4.1 ORDINANCE NO. 2010-1109 – AMENDING THE PROVISIONS OF THE CITY OF IMPERIAL BEACH MUNICIPAL CODE, AMENDING SECTION 1.12.020 OF CHAPTER 1.12 AND SECTIONS 1.22.030, 1.22.060, 1.22.070, 1.22.080, 1.22.100, 1.22.110, 1.22.120, AND 1.22.160 OF CHAPTER 1.22 OF THE IMPERIAL BEACH MUNICIPAL CODE REGARDING CIVIL PENALTIES, ADMINISTRATIVE CITATIONS, AND FINES. (0470-95)

City Manager's Recommendation:

1. Receive report;
2. Mayor calls for reading of the title of Ordinance No. 2010-1109, amending Section 1.12.020 of Chapter 1.12 and Sections 1.22.030, 1.22.060, 1.22.070, 1.22.080, 1.22.100, 1.22.110, 1.22.120, and 1.22.160 of Chapter 1.22 of the Imperial Beach Municipal Code regarding civil penalties, administrative citations, and fines;
3. City Clerk reads title of Ordinance No. 2010-1109; and
4. Motion to dispense with second reading and adopt Ordinance No. 2010-1109 by title only.

4.2 ORDINANCE NO. 2010-1110 – ADDING PROVISIONS TO THE CITY OF IMPERIAL BEACH MUNICIPAL CODE, ADDING CHAPTER 9.80 OF THE IMPERIAL BEACH MUNICIPAL CODE, PERTAINING TO ADULT ENTERTAINMENT ESTABLISHMENTS. (0280-95)

City Manager's Recommendation:

1. Receive report;
2. Mayor calls for the reading of the title of Ordinance No. 2010-1110, adding Chapter 9.80 to the Imperial Beach Municipal Code pertaining to Adult Entertainment Establishments;
3. City Clerk reads title of Ordinance No. 2010-1110; and
4. Motion to dispense with second reading and adopt Ordinance No. 2010-1110 by title only.

PUBLIC HEARINGS (5.1 - 5.2)

5.1 RESOLUTION NO. R-10-227 – RESOLUTION OF NECESSITY OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY PERTAINING TO THE ACQUISITION OF CERTAIN PROPERTY OR INTEREST IN PROPERTY, LEASEHOLD INTEREST IN PROPERTY, IF ANY, AND LOSS OF GOODWILL PURSUANT TO SECTION 1263.510 OF THE CODE OF CIVIL PROCEDURE, IF ANY FOR USE BY THE AGENCY IN THE DEVELOPMENT OF 9TH & PALM REDEVELOPMENT PROJECT IN COMPLIANCE WITH THE REQUIREMENTS OF SECTION 1245.230 OF THE CODE OF CIVIL PROCEDURE OF THE STATE OF CALIFORNIA. (0640-20)

City Manager's Recommendation:

1. Declare the public hearing open;
2. Receive public comment;
3. Close the public hearing; and
4. Adopt resolution.

5.2 RESOLUTION NO. 2010-6942 – AUTHORIZING THE PUBLIC WORKS DIRECTOR TO SIGN AND FORWARD THE CITY'S JURISDICTIONAL URBAN RUNOFF MANAGEMENT PROGRAM (JURMP) ANNUAL REPORT FOR FISCAL YEAR 2009-2010 TO THE REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION. (0770-65)

City Manager's Recommendation:

1. Declare the public hearing open,
2. Receive public comment;
3. Close the public hearing;
4. Direct Annual Report changes as appropriate and
5. Adopt resolution including corrections, additions or deletions as directed.

REPORTS (6.1 - 6.11)

- 6.1 RESOLUTION NO. 2010-6947 – AUTHORIZING THE CITY MANAGER TO EXECUTE THE EXCLUSIVE USE AND OCCUPANCY PERMIT BETWEEN THE CITY OF IMPERIAL BEACH AND THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY. (0680-10 & 0680-20)**

City Manager's Recommendation: Receive report and adopt resolution.

- 6.2 PROPOSED PROJECT PROPOSALS FOR THE FISCAL YEAR 2011-2012 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM. (0650-33)**

City Manager's Recommendation: Receive report, provide direction and set a public hearing for October 6, 2010.

- 6.3 RESOLUTION NO. 2010-6927 – ACCEPTING THE 2010 STORM DRAIN STUDY. (0770-90)**

City Manager's Recommendation: Receive report and adopt resolution.

- 6.4 RESOLUTION NO. R-10-229 – APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE RECREATIONAL TRAILS PROGRAM. (0390-86)**

City Manager's Recommendation:

1. Receive report;
2. Consider the Bayshore Bikeway Access Project merits relative to other projects proposed for RDA funds;
3. Direct staff to proceed with the RTP grant application submission or direct staff to terminate the RTP grant application work; and
4. If staff is directed to proceed with the RTP grant application for the FY 2010-2011 funding cycle, adopt resolution.

- 6.5 MONTHLY UPDATE REPORT ON THE REDEVELOPMENT OF THE SEACOAST INN HOTEL. (0640-43)**

City Manager's Recommendation: Receive the update report on the Seacoast Inn project and provide comment and input as necessary.

- 6.6 SEASIDE POINT NEIGHBORHOOD STOP SIGN ALIGNMENT. (0750-55)**

City Manager's Recommendation:

1. Receive report;
2. Evaluate the merits of the suggested stop sign reorientation within the blocks noted in the Seaside Point neighborhood;
3. Provide direction to staff; and
4. If the decision is to reorient stop signs within this neighborhood, direct staff to return to a future Council meeting with a resolution to affirm the stop sign realignment.

- 6.7 INSTALLATION OF SCULPTURAL URBAN TREE AT THE MARINA VISTA CENTER FRONTAGE OFF OF 8TH STREET. (0150-70 & 1000-10)**

City Manager's Recommendation:

1. Receive this report,
2. Review the four selected Urban Trees;
3. Approve the location for installation of "Wind and Shadow" sculpture in front of the Marina Vista Center; and
4. Authorize the City Manager or his designee to work with the Port of San Diego and the artist for the loan of the Urban Tree for the Urban Tree selected.

- 6.8 RESOLUTION NO. R-10-228 – AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT WITH STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF ACCEPTING THE FISCAL YEAR 2010-2011 ENVIRONMENTAL JUSTICE GRANT. (0390-86)**

City Manager's Recommendation: Receive report and adopt resolution.

Continued on Next Page

REPORTS (Continued)

Item No. 6.9 will be discussed at 8:00 p.m. – TIME SPECIFIC

- 6.9 RATIFICATION OF THE COMMERCIAL ZONING REVIEW RECOMMENDATIONS, INCLUDING REVISIONS PROPOSED BY THE AD HOC COMMITTEE. (0610-95)**
City Manager's Recommendation: Ratify and comment on the Commercial Zoning Review Recommendations document as presented by the ad hoc committee.
- 6.10 RESOLUTION NO. R-10-230 – AWARDING A CONTRACT FOR ELM AVENUE / 7TH STREET UNDERGROUND UTILITY DISTRICT STREET LIGHT TRENCH WORK, CONDUIT INSTALLATION AND LIGHT POLE FOUNDATIONS, AND TO RATIFY EXECUTION OF THE CONTRACT. (0720-60)**
City Manager's Recommendation: Receive report and adopt resolution.
- 6.11 RESOLUTION NO. 2010-6944 – AFFIRMING A SERVICE CONTRACT WITH STATE OF CALIFORNIA, DEPARTMENT OF CORRECTIONS, INMATE COMMUNITY WORK CREWS (AGREEMENT NUMBER 5600001362). (0920-20)**
City Manager's Recommendation: Receive report and adopt resolution.

ITEMS PULLED FROM THE CONSENT CALENDAR (IF ANY)

ADJOURNMENT

The Imperial Beach City Council welcomes you and encourages your continued interest and involvement in the City's decision-making process.

FOR YOUR CONVENIENCE, A COPY OF THE AGENDA AND COUNCIL MEETING PACKET MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK AT CITY HALL OR ON OUR WEBSITE AT www.cityofib.com.

Jacqueline M. Hald, CMC
City Clerk